IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION NO. 1656/2007]

[State of Maharashtra Vs. Sagar Ganpatrao Paikrao]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : S.R.DONGAONKAR, J
DATED : 27th August, 2007.

Heard Mr. Dhote, A.P.P. for appellant State and Mrs. S.C.De, Advocate, for respondent sole.

This is an application for seeking cancellation of anticipatory bail under Section 439(2) of Cr.P.C.

The anticipatory bail was granted to the respondent by order dated 19.4.2007 passed by Additional Sessions Judge, Yavatmal, for the offence punishable under Sections 376 and 506 of Indian Penal Code.

It appears that the prosecutrix has made a complaint against the accused/respondent that she has been threatened by him, for withdrawal of the case against him and also for committing the offence of rape.

At present, it appears that the respondent is on anticipatory bail and the investigation is in progress.

It is not made clear as to what is the stage of investigation and when the charge sheet has been filed.

It also appears that the matter of threat has been investigated and N.C. was registered.

At any rate, it cannot be said at this stage that the complaint against the respondent is substantiated.

In these circumstances, there is no sufficient material to direct cancellation of anticipatory bail granted to the respondent.

Hence, application is rejected.

JUDGE

Rvjalit